

## REMARKS

The present application includes pending claims 1-31. Claims 27-31 have been allowed, while claims 2-8, and 15-21 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 1, 2, 4, 7, 14, 15, 17, and 20 were previously amended.

The Advisory Action suggests that the previous amendment of the claims to recite first and second elements represents new matter. The Applicants respectfully disagree.

The Applicants respectfully note that originally-filed claims are part of the original disclosure.

All amendments or claims must find descriptive basis in the original disclosure, other they involve new matter.

**Applicant may rely for disclosure upon the specification with original claims and drawings, as filed.**

*See* Manual of Patent Examining Procedure at § 608.

**Originally-filed claim 2** of the present application, for example, recites, in part, (1) “a circular convolution **element** being responsive to said Doppler data to generate a plurality of raw strain rate spectrums,” and (2) “a scaling **element** being responsive to said plurality of raw strain rate spectrums to generate said plurality of strain rate spectrums. “ *See, e.g.,* United States Patent Application Publication 2003/0163044 at column 5 (emphasis added). Originally-filed claim 2 clearly recites **two elements**, one of which is “responsive to said Doppler data to generate a plurality of raw strain rate spectrums” (i.e., the circular convolution element), and the other of which is “responsive

to said plurality of raw strain rate spectrums to generate said plurality of strain rate spectrums” (i.e., the scaling **element**). Because the claim recites these **two** elements, there are, by definition, first and second elements. Thus, claim 2 as originally filed clearly sets forth an example of a “first element” and a “second element.”

**Originally-filed claim 4** of the present application, for example, recites, in part, (1) “a spectral estimating **element** being responsive to said Doppler data to generate a plurality of raw strain rate spectrums,” and (2) “a scaling **element** being responsive to said plurality of raw strain rate spectrums to generate said plurality of strain rate spectrums.” *See, e.g.*, United States Patent Application Publication 2003/0163044 at column 5 (emphasis added). Originally-filed claim 4 clearly recites **two elements**, one of which is “responsive to said Doppler data to generate a plurality of raw strain rate spectrums” (i.e., the spectral estimating element), and the other of which is “responsive to said plurality of raw strain rate spectrums to generate said plurality of strain rate spectrums” (i.e., the scaling **element**). Because the claim recites these **two** elements, there are, by definition, first and second elements. Thus, claim 4 as originally filed clearly sets forth an example of a “first element” and a “second element.”

Overall, the Applicants respectfully submit that the application as originally filed sets forth examples of first and second elements, as discussed above. If multiple **elements** exist, then clearly there are, by definition, first and second elements. Thus, the Applicants respectfully submit that the previous amendment did not add new matter.

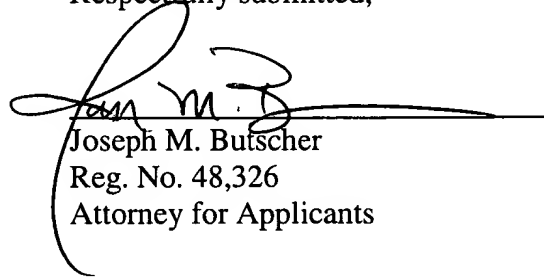
The Applicants respectfully submit that all of the pending claims of the present application should be in condition for allowance and request reconsideration of the claim rejections, at least for the reasons set forth above and previously during prosecution. If

the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited to contact the Applicants. The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account No. 07-0845.

Respectfully submitted,

Date: September 29, 2005

MCANDREWS, HELD & MALLOY, LTD.  
500 West Madison Street, 34th Floor  
Chicago, Illinois 60661



Joseph M. Butscher  
Reg. No. 48,326  
Attorney for Applicants

Telephone: (312) 775-8000  
Facsimile: (312) 775-8100